UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,948	04/27/2001	John Petry	C00-033 CON	9637

			EXAMINER
23459	7590	02/27/2006	STEELMAN, MARY J

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ART UNIT	PAPER NUMBER
2191	

DATE MAILED: 02/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/842,948	PETRY ET AL.
	Examiner	Art Unit	
	Mary J. Steelman	2191	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>01 December 2005</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,3-8,10-30,32-34,36-39,41-44,51-53 and 55-63</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) <u>1,3-8,10-30,32-34,36-39,41-44,51-53 and 55-63</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>27 April 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This Office Action is in response to Amendments and Remarks received 1 December

2005. Per Applicant's request claims 2, 9, 31, 35, 40, 45-50, 54, and 64-68 have been cancelled.

Claims 1, 4, 19, 33, 34, 36-39, 51, 55, 60, and 61 have been amended. Claims 1, 3-8, 10-30, 32-

34, 36-39, 41-44, 51-53, 55-63 are pending. The Specification has been amended.

Drawings

2.   In view of Applicant's comments regarding the amendment to the Specification, the prior

objection to the drawings is hereby withdrawn.

Claim Objections

3.   In view of the amendment to claim 60, the prior objection is hereby withdrawn.

          Claim 11 is objected to for being dependent on canceled claim 2. Claim 11 should be

amended to depend from claim 1.

          Between claims 17 & 18, and claims 33 & 34 there appears to be an extraneous character,

'1'. Examiner will treat claims as if the '1' was not there.

          Claim 56, line 2 recites "further 5 comprising", should be –further comprising--. Delete

the '5'.

          The status identifier of claim 55 should read '(currently amended)'.

Claim Rejections - 35 USC § 112

4.   In view of the amendments to claims 1 and 51, and the cancellation of claim 64, the prior

35 USC 112 2nd paragraph rejection is hereby withdrawn.

Response to Arguments

5.   Applicant's arguments with respect to claims 1, 19, 39, and 51 have been considered but are moot in view of the new ground(s) of rejection.

Regarding independent claims 1, 19, 39, and 51, Applicant has argued (page 18, 2nd and 3rd paragraphs of Remarks), "there is no functionality anywhere in Silver that performs the function of 'validating', as taught in Figs. 4 and 6, and as taught in the accompanying portions of the specification."

Examiner's Response:

Note, Specification, page 8, lines 7-15, "Validator 408 functions to ensure client account security so that client identifiers such as account information and passwords are verified. The image data and vision tool parameters (if any) may be verified within the selected vision tool or by a validator independent from validator 408. If an incorrect client identifier entry is received, validator 408 will return an error message to first computer 102...If an invalid image or vision tool parameters have been provided by first computer 102, analyzer 404 will return an error result to first computer 102. Specification, page 9, lines 14-20, "At P602 the client account information received at P600 is validated. The validation maintains client account security by verifying that a correct client identifier and password have been entered. If any information fails to be validated, an error message is sent to the first computer 102. At P604 the image data, vision tool and any vision tool parameters are verified to ensure that the correct type, number and

values required for the selected vision tool have been entered." Thus a 'validator' verifies a client

identifier/password, and ensures correct type, number and values required for a selected vision

tool.

Nakahara provides the validator functions. See rejections below.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

7.   Claims 1, 3-8, 10-29, 32-34, 36-39, 41-44, 51-53, 55-63 are rejected under 35

U.S.C. 103(a) as being unpatentable over US Patent 6,931,602 B1 to Silver et al., in view of US

Patent 6,836,287 B1 to Nakahara.

Per claim 1:

A method comprising:

(Silver: Col. 1, line 42, "method".)

-selecting, at a first computer, at least one vision tool, said vision tool being remotely located

from said first computer;

(Silver: Col. 4, lines 4-8, A user of a web browser selects a machine vision tool. See FIGs. 5 &

6. Col. 7, lines 59-61: User indicates desired (selecting) machine vision tool via browser (on

first computer). Tool identifier is received by machine vision tool computer (remote second

computer).)

-sending, via a communications network, image data, an indication of the vision tool that was

selected, and at least one vision tool parameter corresponding to said vision tool, from the first

computer to a remotely located second computer that includes the vision tool;

(Silver: Col. 4, lines 14-17, "After selecting the machine vision tool computer, window 606 is

displayed via the web browser 204....displays a listing of machine vision tools which reside on

the machine vision tool computer. Col. 4, lines 23-24, tool may be selected by using a pointing

device...After selecting...tool...a pop up menu, a new window or web page 702 is displayed.

See FIG. 7. As an example of a vision tool parameter, see Col. 4, lines 66-67, User may

calibrate image, specifying a mapping of physical units to pixels. FIG. 1 & Col. 2, lines 50-56:

Silver discloses a communications network, #108, a first computer, #102, and a remote second

computer, #104. Col. 3, lines 20-23 & FIG. 3:Computer #104 includes a machine vision tool.

Col. 4, lines 4-7: user selects (sending an indication of a choice of vision software) a machine

vision tool.)

-processing said image data at said remotely located second computer using the vision tool to

produce a result;

(Silver: Col. 6, line 66-col. 7, line 2: User sends a run command to execute (processing image

data) machine vision tool at remote location (computer #104). Col. 7, lines 63-67: User sends

command to execute machine vision tool. Col. 8, line 2: Output (results) is produced.)

-sending the result to a designated location.

(Silver: Col. 8, lines 5-7: As an example, sending output to web browser (#204) on first

computer (#102). Also see FIG. 2, col. 2, lines 60-65 regarding first computer.)

Silver failed to explicitly disclose:

-validating said image data, said vision tool, and said at least one vision tool parameter, at said

remotely located second computer;

However, Nakahara disclosed vision tool parameters at col. 8, lines 46-61. "When the received

command relates to settings for encoding and transmission, the settings are changed, and the

result of the change (a code indicative of success or failure of the operation) is transmitted to the

thread which received the command...a variety of parameters relating to the camera control

server 105, the image server 106, quality of a moving image, limitations in connection, for

instance, can be set..." Col. 9, lines 11-16, An error message is sent if the input value is

improper.)

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time of the

invention, to modify Silver, to include the validation as provided by Nakahara because

Silver (col. 4, lines 41-43) was suggestive of validation. As an example, commands may be used

to perform vision parameter checking (validating vision tool parameter). Col. 7, lines 30-48:

Silver suggested using diagnostics (to validate) which may include 'show inputs' (sent image

data), 'show outputs', and 'show intermediate steps'. Both inventions are directed towards

providing access to machine vision functionality (Silver, col. 1, lines 34-41) (Nakahara, col. 1,

lines 7-14).

Per claim 3:

-an indication of an image data location is sent, via said communications network, from said first

computer to said remotely located second computer.

(Silver: Col. 5, lines 44-49: Examples of image data location are provided. A URL is an

example of an image data location sent to the second computer. Also see rejection of limitations

regarding sending via communications network in claim 2 above.)

Per claim 4:

Silver failed to explicitly disclose:

-client account information is sent along with the at least one vision tool parameter that is sent

from said first computer via said communications network to said remotely located second

computer.

However Nakahara disclosed authorizing client account information at col. 5, lines 59-65. Col.

6, line 16, certifies the client. See FIGs. 3A & 3B.

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time of the

invention, to modify Silver, to include the validation as provided by Nakahara because

Silver (col. 4, lines 41-43 , col. 5, lines 26-28) was suggestive of validation. As an example,

commands may be used to perform vision parameter checking (validating vision tool parameter).

Col. 7, lines 30-48: Silver suggested using diagnostics (to validate) which may include 'show

inputs' (sent image data), 'show outputs', and 'show intermediate steps'. Both inventions are

directed towards providing access to machine vision functionality (Silver, col. 1, lines 34-41)

(Nakahara, col. 1, lines 7-14). Furthermore, it would be obvious that any business venture would

do some type of client validation.

Per claim 5:

-said communications network between said first computer and said remotely located second

computer includes an Internet connection.

(Silver: Col. 2, line 54: Communications include "Internet")

Per claim 6:

-said communications network between said first computer and said remotely located second

computer includes a wide area network connection.

(Silver: Col. 2, lines 55: Communications include "wide area network")

Per claim 7:

-said designated location to receive said analyzed result is said first computer.

(Silver: FIG. 19 and related text at Col. 8, lines 5-7: Sending portion receives output of

presentation portion and send to web browser #204 (first computer).)

Per claim 8:

-said designated location to receive said analyzed result is a computer other than said first computer.

(Silver: Col. 8, lines 10-21: Silver disclosed that data handled in the processing or created as a result can be stored in any memory conventional in the art...a given computer system or subsystem (other than said first computer).)

Per claim 10:

-said at least one vision operation tool parameter is entered at said first computer.

(Silver: FIG. 21 & Col. 5, lines 4-5: As an example, user enters training parameters (at first computer). Col. 5, lines 24-28: User enters parameters and sends parameter information to machine vision tool computer.)

Per claim 11:

-acquiring said image data at said first computer.

(Silver: FIG. 7, and col. 5, lines 39-49: As an example, user selects to have image acquired from a file. Col. 5, line 62: File may be 'local' (at said first computer).)

Per claim 12:

-acquiring said image data at said remotely located second computer.

(Silver: FIG. 5 and col. 3, lines 39-46: Computer #502 (remotely located second computer) has

a 'receiving portion' that receives (acquiring) information from web browser (first computer).)

Per claim 13:

-said acquiring includes retrieving said image data from an image acquirer using an acquisition

command.

(Silver: FIG. 5 & Col. 3, lines 50-52: Image communications portion, #408, communicates

(commands) with image acquiring device and sending portion and receiving (retrieving image

data) portion." Col. 5, lines 44-49: User enters name and source for image selection. Col. 6,

lines 3-5: Command sent to machine vision tool computer includes selected image source

information.)

Per claim 14:

-said acquiring includes retrieving said image data from said image data location.

(Silver: Col. 3, lines 50-52: Image communication portion for communicating with image

acquiring device and sending portion and receiving portion. Col. 5, lines 44-49: User enters

image source (image data location). Col. 6, lines 22-23: Selected file is sent to machine vision

server tool computer (image data is acquired from image data location).)

Per claim 15:

-said image data is acquired from a location remote from said first computer.

(Silver: Col. 5, lines 47: As an example, image data may be acquired from a URL location
remote from said first computer.)

Per claim 16:

-said image data is acquired from a location on said first computer.

(Silver: Col. 5, line 47: As an example, image data may be acquired from a file. Col. 5, line 62:
User may specify 'local resources' (location of said first computer).)

Per claim 17:

-said at least one vision tool parameter is entered manually by a user at said first computer.

(Silver: FIF. 21 & Col. 5, lines 4-5: As an example, a user (at first computer) may enter
(manually) training parameters.)

Per claim 18:

-said at least one vision tool parameter is entered using an application program on said first
computer.

(Silver: Col. 4, lines 29-36: As an example, an applet (application program) on said first
computer may be used to allow user to provide functionality (tool and parameters). Controls
allow user manipulations (adjust parameters).)

Per claim 19:

A system comprising:

(Silver: Col. 1, line 42: 'system')

-a first computer to send at least one vision tool parameter in accordance with a selected vision

tool;

(Silver: FIG. 1 & Col. 2, lines 50-52: A computer , #102 (first computer) Col. 4, line 7: Select

a machine vision tool. Col. 4, lines 42-43: Passing (send) parameters (vision operation tool

parameter) from the web browser (located on first computer) to the machine vision tool

computer. Col. 7, lines 21- 28: Send parameters specific to the machine vision tool (parameter

in accordance with a selected vision tool).)

-a remotely located second computer to analyze image data and using said at least one vision tool

parameter with said vision tool to produce an analyzed result to be sent by said second computer

to a designated location, the remotely located second computer including;

(Silver: Col. 2, lines 50-52: Machine vision tool computer, #104 is remotely located, analyzed

image data. FIG. 5 and col. 3, lines 39-54: Remote computer, #502, includes machine vision

tool, #302, which analyzes / produces an analyzed result (output) sent by second computer to

designated location (web browser, #204). Col. 7, line 63-col. 8, line 22: Machine vision tool

receives command and executes tool. Output/result is sent to web browser.)

-a receiver to receive said at least one vision tool parameter from said first computer;

(Silver: Col. 4, lines 23-24, tool may be selected by using a pointing device…After

selecting…tool…a pop up menu, a new window or web page 702 is displayed. See FIG. 7. As

an example of a vision tool parameter, see Col. 4, lines 66-67, User may calibrate image,

specifying a mapping of physical units to pixels. A receiver receives the parameter, choice is

displayed in a new window.)

-an analyzer to analyze image data and said at least one vision tool parameter to obtain an

analyzed result;

(Silver: Col. 6, line 66-col. 7, line 2: User sends a run command to execute (processing image

data) machine vision tool at remote location (computer #104). Col. 7, lines 63-67: User sends

command to execute machine vision tool. See FIG. 18 – parameters. Col. 8, line 2: Output

(results) is produced.)

-a transmitter to send, via said communications link, said analyzed result from said remotely

located second computer to a designated location;

(Silver: Col. 8, line 2: Output (results) is produced. Col. 8, lines 5-7: As an example, sending

output to web browser (#204) on first computer (#102). Also see FIG. 2, col. 2, lines 60-65

regarding first computer. See FIG. 4, #402, Sending Portion. See FIG. 19, #P1910-Send the

Presentation Display to the Web Browser.)

-a communications link to facilitate the transmittal of data and the analyzed result, said

communications link to be located between said first computer and said remotely located second

computer.

(Silver: FIG. 5 & col. 3, lines 39-54: Tool presents output, a receiving portion, #504 receives

information from web browser (on first computer) and sends information to machine vision tool

(second remote computer), #302. Sending portion, #506, receives information from presentation

portion and sends information to web browser (sends analyzed result). Image communications

portion (communications link to facilitate the transmittal of data), #408 communicates with

image acquiring device, #110, sending portion, #506, and receiving portion, #504.)

Silver failed to explicitly disclose:

-a validator to verify image data and at least one vision tool parameter;

However, Nakahara disclosed vision tool parameters at col. 8, lines 46-61. "When the received

command relates to settings for encoding and transmission, the settings are changed, and the

result of the change (a code indicative of success or failure of the operation) is transmitted to the

thread which received the command...a variety of parameters relating to the camera control

server 105, the image server 106, quality of a moving image, limitations in connection, for

instance, can be set..." Col. 9, lines 11-16, An error message is sent if the input value is

improper.)

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time of the

invention, to modify Silver, to include the validation as provided by Nakahara because

Silver (col. 4, lines 41-43) was suggestive of validation. As an example, commands may be used

to perform vision parameter checking (validating vision tool parameter). Col. 7, lines 30-48:

Silver suggested using diagnostics (to validate) which may include 'show inputs' (sent image

data), 'show outputs', and 'show intermediate steps'. Both inventions are directed towards

providing access to machine vision functionality (Silver, col. 1, lines 34-41) (Nakahara, col. 1,

lines 7-14).

Also see rejection of limitations as addressed in claim 1 above.

Per claim 20:

-said first computer is configured to send said image data to said remotely located second

computer to be used by said vision tool.

(See rejection of limitations as addressed in claim 2 above.)

Per claim 21:

-said first computer is further configured to send an indication of an image data location to said

remotely located second computer.

(See rejection of limitations as addressed in claim 3 above.)

Per claim 22:

-said first computer comprises:

-a collector configured to use a distributed processing protocol, wherein said collector retrieves

said at least one vision operation tool parameter from one or a combination of local and remote

computers;

(Silver: As an example, col. 4, lines 30-43, a training model may use a vision parameter on the

web browser (on first computer). Tool parameter is downloaded (from remote computer) with

Java applet which provides functionality.)

-a transmitter to send said at least one vision tool parameter, and an indication of at least one

selected vision tool from said first computer to said remotely located second computer;

(See rejection of limitations as addressed in claim 4 above.)

-a receiver to receive an analyzed result from said remotely located second computer via said

communications link.

(Silver: As an example, FIGs. 3 & 19, col. 8, lines 1-7: Machine vision output (from second

computer) is placed in a format for presentation by presentation portion, #306, sending portion,

#308 receives (receiver receives analyzed result) the output of the presentation portion, #306 and

send the presentation display to web browser (first computer, receives analyzed result), #204,

through the network, #108 (col. 3, line 27).)

Per claim 23:

-said collector further retrieves image data from one or a combination of local and remote

computers.

(See rejection of limitations as addressed in claims 15 & 16 above.)

Per claim 24:

-said transmitter is configured to send said image data from said first computer to said remotely

located second computer via the communications link.

(See rejection of limitations as addressed in claim 2 above.)

Per claim 25:

-said transmitter further configured to send, via the communications link, an indication of an

image data location from said first computer to said remotely located second computer.

(See rejection of limitations as addressed in claim 3 above.)

Per claim 26;

-said collector comprises:

-a client data procurer to acquire image data;

(See rejection of limitations as addressed in claim 11 above.)

-a selector to select, at said first computer, at least one vision tool, said at least one vision tool

configured to be remotely located from said first computer.

(See rejection of limitations as addressed in claim 9 above.)

Per claim 27:

-said client data procurer retrieves said image data from an image acquirer.

(See rejection of limitations as addressed in claim 13 above.)

Per claim 28:

-said communications link comprises an Internet connection.

(See rejection of limitations as addressed in claim 5 above.)

Per claim 29:

-said communication link comprises a wide area network connection.

(See rejection of limitations as addressed in claim 6 above.)

Per claim 32:

-said receiver is configured to receive image data from said first computer.

(Silver: FIG. 5 & Col. 3, lines 39-46: As an example, computer, #503 (second computer) has a

receiving portion, #504 for receiving information (receive image data) from web browser (on

first computer).)

Per claim 33:

-said receiver is further configured to receive an indication of an image data location from said

first computer.

(See rejection of limitations as addressed in claim 3 above.)

Per claim 34:

-said remotely located second computer further comprises a validator to verify account

information from said first computer.

(Silver: Col. 7, lines 41-49: As an example, a user may enter a name of a diagnostic, including

parameters which causes the diagnostic information to be sent to the machine vision tool

computer, to have remotely located second computer verify by responding to such requests as

"show inputs" (account information). As an example, user account information may be a name

user entered to indicate specific parameters for a tool (Col. 7, lines 18-21).)

Per claim 36:

Silver failed to explicitly disclose:

-said validator is located within said selected vision tool.

However, Nakahara disclosed (FIG. 6, #S604) a camera server (col. 4, lines 3-4) that validates

data. See col. 8, line 65-col. 9, lines 16. If the input value in improper an error message is

outputted.

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time of the

invention, to modify Silver, to include the validation as provided by Nakahara because

Silver (col. 4, lines 41-43) was suggestive of validation. As an example, commands may be used

to perform vision parameter checking (validating vision tool parameter). Col. 7, lines 30-48:

Silver suggested using diagnostics (to validate) which may include 'show inputs' (sent image

data), 'show outputs', and 'show intermediate steps'. Both inventions are directed towards

providing access to machine vision functionality (Silver, col. 1, lines 34-41) (Nakahara, col. 1,

lines 7-14).

Per claim 37:

-said designated location to receive said analyzed result is said first computer.

(See rejection of limitations as addressed in claim 7 above.)

Per claim 38:

-said designated location to receive said analyzed result is a computer other than said first

computer.

(See rejection of limitations as addressed in claim 8 above.)

Per claim 39:

An apparatus comprising:

-a computer configured to communicate with a remotely located second computer via a

communications link, said remotely located second computer including:

-a receiving portion configured to receive image data, at least one vision tool parameter, and an

indication of a selection of at least one vision tool from said remotely located second computer;

(Silver: FIG. 1- A computer, #102, including a browser, #204, communicates with a remotely

located second computer, #104. The computer may receive image data and a vision tool

parameter by downloading an applet (col. 4, line 33) and locally manipulating an image. Col. 4,

line 23: An indication of a selection of at least one vision tool is shown in the display.)

-an analyzing portion configured to analyze said image data and said at least one vision tool

parameter using said at least one selected vision tool to obtain an analyzed result;

(Silver: Col. 7, line 65-col. 8, line 4: Machine vision tool computer receives execution

command and execution (analyze image) the machine vision tool to produce output (result).

Also see rejection of limitations of claim 19 above.)

-a transmitting portion configured to send said analyzed result from said analyzing portion to a

designated location via said communications link.

(See rejection of limitations as addressed in claims 7, 8, & 19 above.)

Silver failed to explicitly disclose:

-a validator to validate client identifier information received on said receiving portion;

However, Nakahara disclosed vision tool parameters at col. 8, lines 46-61. "When the received

command relates to settings for encoding and transmission, the settings are changed, and the

result of the change (a code indicative of success or failure of the operation) is transmitted to the

thread which received the command...a variety of parameters relating to the camera control

server 105, the image server 106, quality of a moving image, limitations in connection, for

instance, can be set..." Col. 9, lines 11-16, An error message is sent if the input value is

improper.)

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time of the

invention, to modify Silver, to include the validation as provided by Nakahara because

Silver (col. 4, lines 41-43) was suggestive of validation. As an example, commands may be used

to perform vision parameter checking (validating vision tool parameter). Col. 7, lines 30-48:

Silver suggested using diagnostics (to validate) which may include 'show inputs' (sent image

data), 'show outputs', and 'show intermediate steps'. Both inventions are directed towards

providing access to machine vision functionality (Silver, col. 1, lines 34-41) (Nakahara, col. 1,

lines 7-14).

Also, see rejection of limitations in claim 1 above.

Per claim 41:

-said communications link between said computer and said remotely located second computer

includes an Internet connection.

(See rejection of limitations as addressed in claim 5 above.)

Per claim 42:

-said communications link between said computer and said remotely located second computer

includes a wide area network connection.

(See rejection of limitations as addressed in claim 6 above.)

Per claim 43:

-said designated location to receive said analyzed result is said remotely located second

computer.

(Silver: Col. 8, lines 10-21: Silver disclosed that data handled in the processing or created as a

result can be stored in any memory conventional in the art...a given computer system or

subsystem (remotely located second computer).")

Per claim 44:

-said designated location to receive said analyzed result is a third computer other than said

remotely located second computer.

(Silver: Col. 8, lines 10-21: Silver disclosed that data handled in the processing or created as a

result can be stored in any memory conventional in the art...a given computer system or

subsystem (a third computer other than said remotely located second computer).")

Per claim 51:

A computer-readable medium encoded with a program for analyzing machine vision image data,

said program comprising:

(Silver: Col. 8, line 18, 'computer readable media'.)

-sending, via a communications link, image data, an indication of a choice of a vision tool, and at

least one vision tool parameter that corresponds to said choice of a vision tool, from a first

computer to a remotely located second computer that includes said choice of a vision tool;

-validating said image data and said at least one vision tool parameter;

-analyzing said image data and said at least one vision tool parameter at said remotely located

second computer using said choice of a vision tool to produce an analyzed result;

-sending said analyzed result from said remotely located second computer to a designated

location via said communications link.

(This is a computer-readable medium version of claims 1, 7, 8, and 19. See rejection of

limitations as addressed in claims 1, 7, 8, and 19 above. Silver disclosed a computer readable

medium (machine-readable medium) version at col. 12, line 42-col. 14, line 12.)

Per claim 52:

-said program further comprising sending said image data, via said communications link, from

said first computer to said remotely located second computer.

(See rejection of limitations as addressed in claim 2 above.)

Per claim 53:

-said program further comprising sending an indication of an image data location, via said

communications link, from said first computer to said remotely located second computer.

(See rejection of limitations as addressed in claim 3 above.)

Per claim 55:

-entering at least one vision tool parameter at said first computer.

(See rejection of limitations as addressed in claim 10 above.)

Per claim 56:

-said program further comprising:

-acquiring said image data at said first computer.

(See rejection of limitations as addressed in claim 11 above.)

Per claim 57:

-said program further comprising: acquiring said image data at said remotely located second

computer.

(See rejection of limitations as addressed in claim 12 above.)

Per claim 58:

-said acquiring includes retrieving said image data from an image holder using an acquisition

command.

(See rejection of limitations as addressed in claim 13 above.)

Per claim 59:

-said acquiring includes retrieving said image data from said image data location.

(See rejection of limitations as addressed in claim 14 above.)

Per claim 60:

-said program further comprising acquiring said image data from a location remote from said

first computer.

(See rejection of limitations as addressed in claim 15 above.)

Per claim 61:

-said image data is located on said first computer.

(See rejection of limitations as addressed in claim 16 above.)

Per claim 62:

-said program further comprising manually entering said at least one vision tool parameter by a

user at said first computer.

(See rejection of limitations as addressed in claim 17 above.)

Per claim 63:

-said program further comprises entering said at least one vision tool parameter using an

application program on said first computer.

(See rejection of limitations as addressed in claim 18 above.)

8.   Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent

6,931,602 B1 to Silver et al., in view of US Patent 6836287 B`1 to Nakahara, and further in view

of US Patent 5,928,335 to Morita.

Per claim 30:

Silver/ Nakahara fails to disclose:

-said distributed processing protocol is a CORBA application.

However Morita disclosed (col. 8, line 64-col. 9, line 8) distributed image processing using

CORBA protocol.

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time of the

invention to modify the Silver/Nakahara invention for distributed machine vision processing, by

including the CORBA feature, as disclosed by Morita because Silver did specify that network

protocols would be used for communication (Silver: col. 2, lines 50-67 & col. 3, lines 4-10) and

CORBA is a specific protocol which provides benefits (Morita: col. 1, line 60-col. 2, line 5),

most specifically it allows for language-neutral implementation.

Conclusion

9.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

10.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Mary Steelman, whose telephone number is (571) 272-3704. The

examiner can normally be reached Monday through Thursday, from 7:00 AM to 5:30 PM   If

attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei

Zhen can be reached at (571) 272-3708. The fax phone number for the organization where this
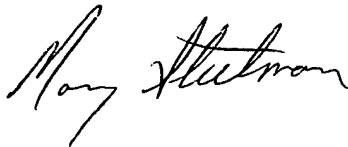
application or proceeding is assigned: 571-273-8300.

Any inquiry of a general nature or relating to the status of this application should be

directed to the TC 2100 Group receptionist: 571-272-2100.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mary Steelman

02/08/2006

WEI ZHEN
SUPERVISORY PATENT EXAMINER